

SECOND REGULAR SESSION

SENATE BILL NO. 745

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATORS KLINDT AND ENGLER.

Pre-filed December 5, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

3761S.011

AN ACT

To repeal section 226.527, RSMo, and to enact in lieu thereof one new section relating to outdoor advertising.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 226.527, RSMo, is repealed and one new section enacted
2 in lieu thereof, to be known as section 226.527, to read as follows:

226.527. 1. On and after August 13, 1976, no outdoor advertising shall
2 be erected or maintained beyond six hundred and sixty feet of the right-of-way,
3 located outside of urban areas, visible from the main traveled way of the
4 interstate or primary system and erected with the purpose of its message being
5 read from such traveled way, except such outdoor advertising as is defined in
6 subdivisions (1) and (2) of section 226.520.

7 2. No compensation shall be paid for the removal of any sign erected in
8 violation of subsection 1 of this section unless otherwise authorized or permitted
9 by sections 226.501 to 226.580. No sign erected prior to August 13, 1976, which
10 would be in violation of this section if it were erected or maintained after August
11 13, 1976, shall be removed unless such removal is required by the Secretary of
12 Transportation and federal funds required to be contributed to this state under
13 section 131(g) of Title 23, United States Code, to pay compensation for such
14 removal have been appropriated and allocated and are immediately available to
15 this state, and in such event, such sign shall be removed pursuant to section
16 226.570.

17 3. In the event any portion of this chapter is found in noncompliance with
18 Title 23, United States Code, section 131, by the Secretary of Transportation or
19 his representative, and any portion of federal-aid highway funds or funds
20 authorized for removal of outdoor advertising are withheld, or declared forfeited

21 by the Secretary of Transportation or his representative, all removal of outdoor
22 advertising by the Missouri state highways and transportation commission
23 pursuant to this chapter shall cease, and shall not be resumed until such funds
24 are restored in full. Such cessation of removal shall not be construed to affect
25 compensation for outdoor advertising removed or in the process of removal
26 pursuant to this chapter.

27 4. In addition to any applicable regulations set forth in sections 226.500
28 through 226.600, signs within an area subject to control by a local zoning
29 authority and wherever located within such area shall be subject to reasonable
30 regulations of that zoning authority relative to size, lighting, spacing, and
31 location; provided, however, that no local zoning authority shall have authority
32 to require any sign within its jurisdiction which was lawfully erected and which
33 is maintained in good repair to be removed without the payment of just
34 compensation. **The requirement by a local zoning authority that a legally
35 erected outdoor advertising structure be removed or altered as a
36 condition or prerequisite for the issuance or continued effectiveness of
37 a permit, license, or other approval for any use, structure, development,
38 or activity other than outdoor advertising, including a request for
39 rezoning, constitutes a compelled removal or alteration, which is
40 prohibited without the payment of just compensation as required by
41 this subsection.**

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